

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 SPM-01 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 EURE-00 DRC-01 HEW-08 AID-20 IO-14

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FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC PRIORITY 5817

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AMCONSUL BELFAST

C O N F I D E N T I A L DUBLIN 0951

E.O. 11652: GDS

TAGS: PINT, PBOR, EI

SUBJECT: PM VOTES AGAINST HIS OWN GOVT'S BILL

SUMMARY: IRISH PM HAS VOTED AGAINST HIS OWN GOVT'S BILL TO REGULATE SALE OF CONTRACEPTIVES. THOUGH HE WAS TECHNICALLY FREE TO VOTE WITH HIS CONSCIENCE, WE CAN FIND NO ADEQUATE EXPLANATION FOR HIS FAILURE TO CONSULT CABINET COLLEAGUES. COSGRAVE'S BEHAVIOR HAS CREATED CRISIS OF LEADERSHIP. END SUMMARY.

1. GOI BILL TO LEGALIZE SALE OF CONTRACEPTIVES WAS DEFEATED ON "SECOND READING" IN DAIL LATE JULY 16. 75 DEPUTIES, INCLUDING ALL OPPOSITION FIANNA FAIL DEPUTIES AND SOME GOVT DEFECTORS, VOTED AGAINST. 61 MEMBERS OF GOVERNING COALITION VOTED IN FAVOR. PM COSGRAVE JOINED THOSE VOTING AGAINST BILL. AS FAR AS WE CAN DISCOVER, THERE IS NO PRECEDENT FOR THIS IN IRISH HISTORY. ON CONTRARY, THERE IS RIGID TRADITION OF PARTY DISCIPLINE AND COLLECTIVE CABINET RESPONSIBILITY. PM'S LEADERSHIP ROLE HAS GREAT IMPORTANCE. CLOSEST PARALLEL IS MOTHER PARLIAMENT IN WESTMINSTER, BUT IRISH SYSTEM HAS PLACED EVEN MORE EMPHASIS ON DISCIPLINE.

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2. GOVT (BUT NOT OPPOSITION) CLASSIFIED VOTE AS AN ISSUE OF CON-

SCIENCE AND ALLOWED "FREE VOTE." TECHNICALLY, THUS, COSGRAVE CAN JUSTIFY HIS VOTE. HE NEED NOT CONSIDER THIS MATTER OF CONFIDENCE REQUIRING NEW GENERAL ELECTION. IN PRACTICE, HOWEVER HIS ACTION HAS RAISED SERIOUS QUESTIONS ABOUT HIS LEADERSHIP. HE KEPT HIS INTENTIONS SECRET FROM ALL INCLUDING EVEN HIS COLLEAGUES IN CABINET. SOME OF THEM HAVE NOT HIDDEN THEIR ANGER AND EMBARRASSMENT.

3. COSGRAVE MAKES NO SECRET OF HIS CONSERVATIVE OPINION ON MANY ISSUES. ONE POSSIBLE EXPLANATION IS SIMPLY THAT HE VOTED WITH HIS CONSCIENCE. EXPLANATION IS MADE LESS CREDIBLE, HOWEVER, BY HIS OWN GOVT'S CASE FOR BILL. GOI HAD ARGUED, FIRST, THAT BILL WOULD ACTUALLY RESTRICT AVAILABILITY OF CONTRACEPTIVES IN AFTERMATH OF SUPREME COURT DECISION LEGALIZING IMPORTATION. SECOND, GOI SPOKESMAN HAD POINTED OUT THAT BILL WOULD NOT FORCE CONTRACEPTIVES ON ANYONE BUT WOULD MERELY ALLOW FREEDOM OF CONSCIENCE FOR NON-CATHOLICS AND DISSENTERS. RECENT PUBLIC OPINION POLLS SHOW THAT MAJORITY OF PUBLIC SEEMS TO DESIRE LEGALIZATION OF CONTRACEPTIVES AND THERE WERE NO SIGNIFICANT DEMONSTRATIONS AGAINST BILL. MAIN PRESSURE GROUP AGAINST IT WAS CHURCH HIERARCHY.

4. EDUCATION MINISTER BURKE ALSO VOTED AGAINST BILL, AS DID FOUR FINE GAEL BACKBENCHERS. SOME, HOWEVER, MERELY FOLLOWED PM'S LEAD, SO ACTUAL MARGIN OF DEFEAT IS NOT AS MEANINGFUL AS IT LOOKS.

5. CONTRACEPTION BILL HAD BEEN CONSIDERED MOST SIGNIFICANT TEST OF GOVT'S WILLINGNESS TO MAKE REFORMS NECESSARY TO ACHIEVE NON-SECTARIAN SOCIETY AND NORTH/SOUTH RECONCILIATION. FIRST REACTION REPORTED FROM NORTH IS THEREFORE PREDICTABLE: REGRET FROM MODERATES AND GLEE FROM HARD-LINE LOYALISTS.

6. A SOURCE WHO IS HIGH IN FIANNA FAIL PARTY, BUT USUALLY OBJECTIVE, TELLS US FIANNA FAIL IS DELIGHTED BY COSGRAVE'S GIFT BUT WILL AVOID CROWING IN PUBLIC. SAME SOURCE CAN FIND NO RATIONAL MOTIVE FOR COSGRAVE'S BEHAVIOR. BEST EXPLANATION IS THAT HE WAS TRYING TO SHOW OVERPOWERING CABINET COLLEAGUES WHO WAS BOSS. (EMB HAS REPORTED SEPARATELY ON DIVISIVE ISSUE OF CONOR CRUISE-O'BRIEN AND NI POLICY.) SOURCE ADDS, HOWEVER, THAT COSGRAVE CHOSE AN "EXTRAORDINARY" MEANS OF DEMONSTRATING AUTHORITY. FIANNA FAIL EXPECTS THAT SOME MINISTERS WILL MAKE FUSS IN NEXT CABINET MEETING -- ESPECIALLY KEATING AND CONFIDENTIAL

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CRUISE-O'BRIEN OF LABOR, AND COONEY OF FINE GAEL. ON BALANCE, HOWEVER, SOURCE THINKS COSGRAVE WILL SURVIVE AS LEADER AND AVOID GENERAL ELECTION IN NEAR FUTURE. HE HAS, HOWEVER, CREATED AN ISSUE WHICH WILL CREATE MAJOR STRAINS IN RELATIONS WITH LABOR PARTY, AND SOURCE EXPECTS THAT STRAIN WILL FORCE ELECTIONS NEXT YEAR. LIKE EVERY OTHER IRISH POLITICIAN, SOURCE IS INTERESTED IN HISTORICAL PARALLEL WITH DOWNFALL OF AN EARLIER COALITION GOVT OVER ANOTHER "MORAL" ISSUE (MOTHER-AND-CHILD CONTROVERSY OF

EARLY FIFTIES).

7. DUBLIN PRESS IS AS SURPRISED AS COSGRAVE'S CABINET COLLEAGUES. "IRISH TIMES" CALLS PM'S VOTE "FARCICAL" AND "LOW COMEDY." "IRISH PRESS" CALLS IT "ALMOST INCREDIBLE" AND "IGNOMINIOUS." "IRISH INDEPENDENT" COLUMNIST ACCUSES PM OF BETRAYING TRUST OF PARTY COLLEAGUES WHO HAD TAKEN HARD DECISION TO SUPPORT BILL TABLED BY THIR CABINET.

8. IT WOULD BE HAZARDOUS TO MAKE FUTURE PROJECTIONS UNTIL WE HAVE BETTER EXPLANATION OF COSGRAVE'S BEHAVIOR LAST NIGHT. AT MINIMUM, HIS BEHAVIOR WILL STRENGTHEN CLAIMS OF HIS ADVERSARIES THAT HE LOST HIS TOUCH, AND HIS AUTHORITY, DURING POST-SUNNINGDALE DEPRESSION. HE MAY HAVE MADE SERIOUS ERROR AND CREATED LEADERSHIP CRISIS THAT HE WILL NOT EASILY LIVE DOWN. IF SO, HE MAY WELL HAVE SHORTENED HIS GOVT'S LIFE EXPECTANCY. NEVERTHELESS, IF HE CAN NOW KEEP HIS COOL -- AND HE HAS USUALLY BEEN GOOD AT THAT -- HE STILL HAS THE MEANS TO STAY IN CONTROL OF PARTY.
MOORE

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